

Message Text

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TO AMEMBASSY NASSAU PRIORITY

C O N F I D E N T I A L STATE 137743

E.O. 11652: GDS

TAGS: PFOR, MARR, BF, US

SUBJECT: BAHAMAS LEASE

1. IN ORDER TO PROVIDE LEGAL BASIS FOR RENTAL PAYMENTS RE FACILITY SITES, DEPT AND DOD HAVE PREPARED US-GCOB LEASE COVERING THOSE SITES, TO BE SIGNED AT SAME TIME AS COVERING AGREEMENT, IT APPEARED PREFERABLE TO ATTACH MAPS AND METES AND BOUNDS TO LEASE RATHER THAN TO ANNEX OF COVERING AGREEMENT. AS A CONSEQUENCE, FOLLOWING MINOR CHANGES SHOULD BE MADE IN LATTER DOCUMENT:

(A) IN DRAFT ARTICLE ON PROVISION OF SITES, THE FIRST SENTENCE OF PARAGRAPH 1 SHOULD BE REVISED TO READ AS FOLLOWS: "THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS SHALL PROVIDE TO THE UNITED STATES GOVERNMENT APPROPRIATE SITES FOR THE PURPOSES DESCRIBED IN THE ANNEX TO THIS AGREEMENT."

(B) IN ANNEX, THE PHRASE "DESCRIBED IN THE ATTACHED MAPS" SHOULD BE DELETED FROM INTRODUCTORY SENTENCE, AND THE FOLLOWING PARAGRAPH SHOULD BE ADDED AS A NEW PARA 1:

"1. THE SITES TO BE PROVIDED BY THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS TO THE UNITED STATES GOVERNMENT

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WILL BE IDENTIFIED IN A LEASE TO BE EXECUTED BETWEEN THE

APPROPRIATE AUTHORITIES OF THE TWO GOVERNMENTS. THIS LEASE MAY BE AMENDED BY MUTUAL AGREEMENT OF THOSE AUTHORITIES." EXISTING INTRODUCTORY SENTENCE, REVISED AS ABOVE,

WOULD THEN BECOME PARA 2, FOLLOWED BY EXISTING SUBPARAS (A), (B), AND (C).

3. THOSE CHANGES AND TEXT OF LEASE SHOULD BE PRESENTED TO GCOB IN THE NEAR FUTURE, WITH TIMING AT EMBASSY'S DISCRETION.

4. EXHIBIT A CITED IN PARA 1 OF LEASE WILL CONSIST OF LIST OF SITES (WHICH HAS BEEN PREPARED AND IS BEING AIR-MAILED TO EMBASSY) AND SPECIFIC METES AND BOUNDS FOR EACH SITE (WHICH ARE UNDER PREPARATION). EXHIBIT B WILL BE MAPS WHICH EMBASSY HAS ALREADY PROVIDED TO GCOB. GCOB MAY BE SO INFORMED WHEN HANDED DRAFT LEASE.

5. TO COMPLY WITH DOD STATUTORY AUTHORITY, INITIAL PERIOD OF LEASE WOULD EXTEND ONLY UNTIL ONE YEAR FROM DATE OF ITS EXECUTION, WITH ANNUAL RENEWAL OPTIONS COVERING REMAINDER OF PERIOD OF USG-GCOB FACILITIES AGREEMENT.

6. PARA 5 OF LEASE IS REQUIRED BY US STATUTE, AND WE HAVE NO DISCRETION IN THIS MATTER. EMBASSY SHOULD SO INFORM GCOB WHEN PRESENTING LEASE. THIS PROVISION HAS BEEN USED BY USG IN LEASES WITH OTHER COUNTRIES.

7. TEXT OF PROPOSED LEASE IS AS FOLLOWS:

QUOTE: LEASE TO THE UNITED STATES OF AMERICA BY THE COMMONWEALTH OF THE BAHAMAS.

THIS LEASE IS MADE BY AND BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS, ACTING BY AND THROUGH (BLANK) (HEREINAFTER CALLED "THE LESSOR"); AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE DEPARTMENT OF THE NAVY (HEREINAFTER CALLED "THE LESSEE").

WHEREAS, IN THE AGREEMENT DATED (BLANK), 1974 (HEREINAFTER REFERRED TO AS THE AGREEMENT) BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS AND THE GOVERNMENT OF THE

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UNITED STATES, THE COMMONWEALTH UNDERTAKES TO PROVIDE SITES TO THE GOVERNMENT OF THE UNITED STATES;
NOW THEREFORE, IN CONSIDERATION OF THE PREMISES AND OTHER GOOD AND VALUABLE CONSIDERATION AND WITH THE DESIRE THAT THE AGREEMENT BE FULFILLED IN A SPIRIT OF GOOD NEIGHBORLINESS BETWEEN THE TWO GOVERNMENTS, IT IS AGREED AS FOLLOWS:

1. LEASED PROPERTY. THE LESSOR LEASES TO THE LESSEE THE

LAND LISTED AND DESCRIBED IN EXHIBIT "A" AND DELINEATED
IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

2. TERM. THE TERM OF THIS LEASE SHALL BEGIN ON (BLANK)
AND CONTINUE THROUGH (BLANK), UNLESS SOONER TERMINATED

IN ACCORDANCE WITH THE PROVISIONS HEREOF.

3. USE. LESSEE'S USE OF THE LEASED PROPERTY SHALL BE
FOR THE PURPOSES AND UNDER THE CONDITIONS SPECIFIED IN
THE AGREEMENT.

4. CONSIDERATION. THE LESSEE SHALL PAY TO THE LESSOR
THE AMOUNT OF \$(US) (BLANK) PER ANNUM, PAYABLE ON THE
(BLANK) EACH YEAR IN ARREARS. CHECKS SHALL BE MADE PAY-
ABLE TO (BLANK), AND FORWARDED TO (BLANK).

5. OFFICIALS NOT TO BENEFIT. NO MEMBER OF OR DELEGATE
TO THE CONGRESS OF THE UNITED STATES OF AMERICA SHALL BE
ADMITTED TO ANY SHARE OR PART OF THIS LEASE, OR TO ANY
BENEFIT THAT MAY ARISE THEREFROM.

6. RENEWAL. THE LESSEE SHALL HAVE THE OPTION TO RENEW
THIS LEASE ANNUALLY DURING THE PERIOD THE AGREEMENT RE-
MAINS IN EFFECT, IN WHOLE OR IN PART BY GIVING WRITTEN
NOTICE TO THE LESSOR OF THE LESSEE'S INTENTION TO SO RE-
NEW; PROVIDED, HOWEVER, THAT SAID NOTICE TO RENEW SHALL
BE GIVEN TO THE LESSOR NOT LESS THAN SIXTY DAYS PRIOR TO
THE EXPIRATION OF ANY ANNUAL TERM.

7. TERMINATION. THE LESSEE SHALL HAVE THE RIGHT TO
TERMINATE THIS LEASE BY GIVING SIXTY DAYS NOTICE IN WRIT-
ING TO THE LESSOR.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE ON THE
RESPECTIVE DATES SET FORTH BELOW, EXECUTED THIS LEASE.
COMMONWEALTH OF THE BAHAMAS

BY: (BLANK) DATE:
UNITED STATES OF AMERICA

BY: (BLANK) DATE:
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